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**JUL 25 2006****Remarks**

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims are respectfully requested. Claims 1-4 and 9-14 are pending.

Applicant's arguments presented below focus on certain patentable differences between the invention as claimed and the applied references. However, it is not to be inferred that the failure to argue all differences between the claimed subject matter and the applied references constitutes acceptance of assertions made in the Office Action of alleged similarities between elements of the claimed subject matter and the applied references.

Claim Rejections - 35 U.S.C. §103

Claims 1-4 were rejected under 35 U.S.C. 103 as being unpatentable over U.S. Patent No. 5, 197, 092 (Bamburak) in view of U.S. Patent No. 5, 574, 780 (Andruska). Applicant respectfully traverses this rejection.

Claim 1 is directed to a method for providing a telephone subscriber with call features associated with a home telephone line of the subscriber when the subscriber is at a remote telephone line. The subscriber is registered as being present at a remote telephone line in a first database accessible by a home switch that supports the home telephone line. An incoming call for the subscriber is received at the home switch directed to a first telephone number of a home line. The incoming call is redirected to a second telephone number associated with the remote telephone line. The second telephone number is retrieved from a first record in the first database. A visiting switch that supports the remote telephone line receives the redirected incoming call. The visiting switch retrieves from a second record in a second database a user call feature set that defines call features available to the subscriber at the subscriber's home telephone line. The incoming call is handled at the visiting switch in accordance with the call features of the retrieved user call feature set.

MPEP §706.02(j) states: "To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references

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themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In re Vaack, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)." (Emphasis added.)

Bamburak is directed to a location registration system in which a personal communicator unit 12 is inserted into telephone receiving station 10. The personal communicator unit identifies the specific user. Telephone calls directed to a user's home telephone are redirected using the conventional call-forwarding feature of a PSTN switch that supports the user's home telephone line. Such calls are redirected to the telephone receiving station.

It is acknowledged in the Office Action that Bamburak does not teach some of the required limitations of claim 1, more specifically:

"a first database accessible by a home switch; retrieving by the visiting switch from a second record in a second database, a user call feature set that defines call features available to the subscriber at the subscriber's home line; handling the incoming call at the visiting switch in accordance with the call features as determined by the retrieved user call feature set."

Andruska is relied upon as teaching the limitations of claim 1 that are acknowledged as not being taught by Bamburak. It must be remembered that claim 1 is directed to **handling an incoming call to the subscriber at a remote telephone line served by a visiting switch in accordance with call features as defined by a user call feature set retrieved by the visiting switch**. This limitation is not taught by Andruska. As pointed out in the first paragraph of the Summary of Andruska, it is directed to a technique that permits call features to be made available based of a combination of the telephone line from which the call originates and a PIN associated with the individual making the call. It is clear from this description as well as other portions of the Detailed Description section of Andruska that the referenced feature set is only directed towards aspects of call origination, i.e. features associated with the making of a call, and not with

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handling of an incoming call. Applicant has considered all of the portions of text of Andruska alleged in the Office Action as providing the subject limitations of claim 1 and found that none of the cited text provide such a teaching. All of the cited text portions of Andruska are consistent with the objective as cited in the Summary, i.e. dealing only with call originations. It is understood by those of ordinary skill in the art that aspects associated with call originations must be considered substantially independent of aspects of incoming call handling since each are under the control of different parties and different switches. Therefore, one of ordinary skill the art would understand the required retrieving and handling steps in accordance with claim 1 are not taught by Andruska. Hence the combination of the teachings of Bamburak and Andruska fail to disclose all of the required steps in accordance with the method of claim 1. Withdrawal of the 35 U.S.C. 103 rejection of claim 1 is requested.

Independent claim 9 is believed to be allowable for reasons similar to that explained above with regard to claim 1. U.S. Patent No. 5,206,899 (Gupta) was relied upon in a 35 U.S.C. 102 rejection of claim 9. However, Gupta is similar to the teachings of Andruska and Bamburak in that it addresses aspects of call origination, not handling of incoming calls. Hence, Gupta does not provide support for this rejection and the rejection should be withdrawn.

Dependent claims 13 and 14 are amended to further define the step of transferring the incoming call to a voice messaging system as specified in the call feature set. These claims are directed to the handling of an incoming call and that the routing of the incoming call to a voice messaging system as defined by the call feature set. Thus, these are called party features, not a call origination feature. Therefore, these claims further patently distinguish over the applied art.

#### **With Regard to Non-Amended Claims**

If no amendments are made to certain claims, the examiner must not rely on any other teachings in the reference if the rejection is made final as to the certain claims. If a newly cited reference is added and a new ground of rejection is introduced by the examiner that is not necessitated by applicant's amendment of the certain claims, the rejection of those claims may not be made final.

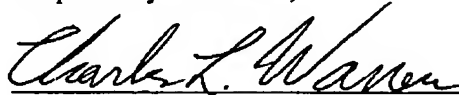
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Pursuant to MPEP 706.07(c), it would be inappropriate to make an Office Action final should new references be applied in support of a rejection of any of claims 1-4 since applicant has made no amendments to these claims to necessitate such a change of position.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,



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